



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
June 20, 2005**

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DMB:dmb

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, June 20, 2005, at 9:04 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor Joan M. DuBois, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Dana Kauffman, Lee District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Elaine McConnell, Springfield District arrived at 10:20 a.m.

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Regina Thorn Corbett, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:05 a.m.)

Supervisor Gross asked everyone to keep in thoughts the family of Brenda E. Pillors, Ph.D., who died suddenly on June 12, 2005. Ms. Pillors was a Mason District resident and a beloved companion of Marwan Burgan, Chief Aide of Supervisor Gross. Ms. Pillors was the Chief of Staff for United States Congressman Ed Towns of New York. She also asked everyone to keep in thoughts Mr. Burgan, who is in California attending to final arrangements.

2. **AWARDING OF RIBBONS TO COUNTY EXHIBITORS PARTICIPATING IN CELEBRATE FAIRFAX** (9:07 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and presented the winning ribbon awards to the following County exhibitors who participated in *Celebrate Fairfax*, which was held June 10-12, 2005:

Best of Show

- Solid Waste, Department of Public Works and Environmental Services (DPWES)

Best in Communications

- First Place – Wastewater Management, DPWES
- Second Place – Fairfax County Public Schools
- Third Place – Land Development Services, DPWES

Best in Content

- First Place – Systems Management, Office of Human Services
- Second Place – Electoral Board and General Registrar

Best in Design

- First Place – Fairfax Water
- Second Place – Health Department
- Third Place – Department of Family Services, Office for Children

Judges' Choice

- First Place – Department of Fire and Rescue
- Second Place – Department of Information Technology
- Third Place – Department of Planning and Zoning

Best in Creativity

- First Place – Department of Transportation
- Second Place – Park Authority
- Third Place – General District Court

AGENDA ITEMS

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. TARA ADISESHAN** (9:18 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to Ms. Tara Adiseshan for being selected as the Virginia winner of the Mutual of Omaha essay contest with her discourse entitled “Sea Otters Forever,” to proffer creative ideas to save endangered animals in North America. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell having not yet arrived.

4. **CERTIFICATES OF RECOGNITION PRESENTED TO FORESTVILLE ELEMENTARY SCHOOL ODYSSEY OF THE MIND TEAM** (9:22 a.m.)

Supervisor DuBois moved approval of the following Certificates of Recognition presented to:

- Forestville Elementary School Odyssey of the Mind Team for outstanding academic achievement in attaining first place at the 2005 Virginia Odyssey of the Mind Competition and for participating in the Odyssey of the Mind World Finals.
- Each Forestville Elementary School team member for academic excellence, outstanding participation and teamwork in attaining first place at the 2005 Virginia Odyssey of the Mind Competition and for participating in the Odyssey of the Mind World Finals.

- Forestville Elementary School coaches for exceptional leadership and dedication to the Forestville Elementary School team at the 2005 Virginia Odyssey of the Mind Competition and for participating in the Odyssey of the Mind World Finals.

Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Smyth being out of the room, Supervisor McConnell having not yet arrived.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO THE SPRINGFIELD-FRANCONIA HOST LIONS CLUB** (9:31 a.m.)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to members of the Springfield-Franconia Host Lions Club on the occasion of its fiftieth anniversary, making Springfield-Franconia a better place to live, work, learn, and play through annual events, fund raisers, and charitable activities. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell having not yet arrived.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. CLARA JOHNSON** (9:35 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Ms. Clara Johnson for being named Fairfax County Public School 2005 Support Employee of the Year. Ms. Johnson has been an employee in the School system for 29 years, and she served as the building supervisor at Hunters Wood Elementary School for the Arts and Sciences in Reston for 26 years. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell having not yet arrived.

7. **PROCLAMATION DESIGNATING JUNE 13-20, 2005, AS "RESPONSIBLE FATHERHOOD WEEK" IN FAIRFAX COUNTY** (9:41 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate June 13-20, 2005, as "*Responsible Fatherhood Week*" in Fairfax County. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor McConnell having not yet arrived.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

8. **RESOLUTION OF RECOGNITION PRESENTED TO THE GREATER RESTON CHAMBER OF COMMERCE** (9:45 a.m.)

Supervisor Hudgins moved approval of the Resolution of Recognition presented to the Greater Reston Chamber of Commerce Incubator Program for more than five years of entrepreneurial support and the benefit this support has brought to

the County. Chairman Connolly seconded the motion and it carried by a vote of eight, Supervisor DuBois being out of the room, Supervisor McConnell having not yet arrived.

9. **PROCLAMATION DESIGNATING JUNE 26-JULY 2, 2005, AS
“MOSQUITO AWARENESS WEEK” IN FAIRFAX COUNTY** (9:53 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate June 26 – July 2, 2005, as “*Mosquito Awareness Week*” in Fairfax County reaffirming its commitment to public health. Supervisor DuBois seconded the motion and it carried by a vote of nine, Supervisor McConnell having not yet arrived.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

10. **CERTIFICATE OF RECOGNITION PRESENTED TO CHANTILLY
HIGH SCHOOL YEARBOOK STAFF**

AND

**CERTIFICATE OF RECOGNITION PRESENTED TO MS. TAMMY
TURNER** (10:05 a.m.)

Supervisor Frey moved approval of the Certificates of Recognition presented to:

- Chantilly High School yearbook staff for garnering every top regional and national award for the opus 2004 yearbook, Odyssey, from the Columbia Scholastic Press Association, the National Scholastic Press Association and the Virginia High School League, to place first in high school yearbooks in the nation for 2004.
- Chantilly High School for outstanding academic accomplishment to win the Wachovia Cup for Academics 2004-2005 for Group AAA schools in the Virginia High School League for the second consecutive year and for the seventh time in 11 years.
- Tammy Turner, principal at Chantilly High School, for 30 years of outstanding noteworthy and commendable service to students and parents in the School system on the occasion of her retirement.

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hudgins being out of the room, Supervisor McConnell having not yet arrived.

DS:ds

11. **CONGRATULATIONS TO DONNA M. BUDD, ADMINISTRATIVE ASSISTANT IN THE CLERK'S OFFICE, ON HER RETIREMENT**
(10:14 a.m.)

Chairman Connolly announced that today will be the last meeting for Donna M. Budd, Administrative Assistant, Office of the Clerk to the Board. Ms. Budd will be retiring on Friday, June 24, 2005. Chairman Connolly, on behalf of the Board, congratulated her and wished her all the best on her retirement.

12. **10 A.M. – PRESENTATION OF THE 2004 A. HEATH ONTHANK AWARDS** (10:15 a.m.)

Audrey S. Morton, Chairman, Civil Service Commission, gave a brief presentation regarding the A. Health Onthank Awards, and introduced Jeffrey Sachs, Chairman, Onthank Award Selection Commission.

Peter Schroth, Director, Department of Human Resources, announced the 2004 A. Heath Onthank Award recipients as follows:

- Joseph Bakos, Chief Zoning Inspector, Department of Planning and Zoning
- Douglas K. Byrd, Lieutenant, Office of the Sheriff
- Daniel L. Pierce, Lieutenant, Office of the Sheriff
- Tyler D. Corey, Lieutenant, Office of the Sheriff
- Katherine D. Ichter, Transportation Division Chief, Department of Transportation
- Vanessa A. Jackson, Custodian II, Key Middle School
- Noel H. Kaplan, Planner III, Department of Planning and Zoning
- Marguerite M. Kiely, Director, Department of Systems Management for Human Services
- Susan M. Rexford, Career Center Specialist, West Springfield High School
- Katherine J. Strotman, Management Analyst II, Library

13. **10:15 A.M. – PRESENTATION OF THE FINAL REPORT ON THE GANG SUMMIT AND RECOGNITION OF EFFORT TO STAGE THE GANG SUMMIT** (10:34 a.m.)

Robert Bermingham, Gang Prevention Coordinator, presented the final report on the Gang Summit held on February 25, 2005.

Discussion ensued, with input from Mr. Bermingham, regarding after-school programs, the status of the gang hotline, and the status of the list of available resources.

Further discussion ensued with input from Mr. Bermingham and Mark Emery, regarding the availability of after-school programs for alternative schools.

Following discussion regarding the Council Action Plan recommendations, Supervisor Gross moved to accept the report of the task force and refer it to the County Executive and staff for the next steps.

Chairman Connolly clarified that the motion also directs staff to report with an action plan for additional steps that the County needs to implement. Supervisor Bulova seconded the motion.

Discussion ensued, with input from Mr. Bermingham, regarding community mobilization.

Further discussion ensued, with input from Mr. Bermingham and Captain Amy Lubas, Fairfax County Police Department, regarding how the information on gang prevention is made available to the public.

Supervisor Kauffman called the Board's attention to handwritten page 11 of the report, regarding the Office of Juvenile Justice and Delinquency Prevention Comprehensive Gang Model, Common Themes, bulleted item five, and asked unanimous consent to delete the following from the report: "Enough money has been spent on suppression;...."

Following discussion, with input from Mr. Bermingham, Chairman Connolly asked to amend the request that bulleted item five be reworded. Without objection, it was so ordered.

The question was called on the motion and it carried by unanimous vote.

Chairman Connolly announced that \$10,000 was given to the Park Foundation which will allow the addition of scholarships for 200 youths at risk for gang involvement.

NV:pw

14. **10:15 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:22 a.m.)

(APPTS)

(BACs)

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointments of the Hunter Mill, Lee, and Sully District Representatives to the Advisory Social Services Board.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Builder Representative to the Affordable Dwelling Unit Advisory Board.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointments of the Mason and Sully District Representatives to the Airports Advisory Committee.

ANIMAL SERVICES ADVISORY COMMISSION

Supervisor Kauffman moved the appointment of Mr. Brock Benson to fill the unexpired term of Mr. Thomas Benson as the Lee District Representative to the Animal Services Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

ATHLETIC COUNCIL

Supervisor Bulova moved the reappointment of Mr. Joseph Jozefczyk as the Braddock District Principal Representative to the Athletic Council. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Chip Chidester as the Braddock District Alternate Representative to the Athletic Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Barbara Lowrey as the Mason District Principal Representative to the Athletic Council. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Dranesville District Alternate, Hunter Mill District Alternate, and Mason District Alternate Representatives to the Athletic Council.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Chairman Connolly moved the appointment of Ms. Lilyan Spero as the At-Large Chairman's Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Ms. Margaret Kugler as the Braddock District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor DuBois moved the reappointment of Ms. Deborah Pietras as the Dranesville District Representative to the Barbara Varon Volunteer Award Selection Committee. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Ms. Regina Jordan as the Hunter Mill District Representative to the Barbara Varon Volunteer Award Selection Committee. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Ms. Gladys Keating as the Lee District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Ika Joiner as the Mason District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Ms. Diane McIntyre as the Springfield District Representative to the Barbara Varon Volunteer Award Selection Committee. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Ms. Olga Hernandez as the Sully District Representative to the Barbara Varon Volunteer Award Selection Committee. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Mount Vernon and Providence District Representatives to the Barbara Varon Volunteer Award Selection Committee.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

The Board deferred the appointment of the Appraiser #2 Representative to the Board of Equalization of Real Estate Assessments.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

The Board deferred the appointment of the Mason District Representative to the Chesapeake Bay Preservation Ordinance Exception Review Committee.

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Sully District Representative to the Child Care Advisory Council.

CIVIL SERVICE COMMISSION

The Board deferred the appointment of the At-Large #3 Representative to the Civil Service Commission.

COMMISSION ON AGING

Supervisor McConnell moved the reappointment of Ms. Sally Hottle as the Springfield District Representative to the Commission on Aging. Supervisor Hyland seconded the motion, which carried by unanimous vote.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointments of the Religious Community and the Sully District Representatives to the Commission on Organ and Tissue Donation and Transplantation.

COMMUNITY ACTION ADVISORY BOARD

The Board deferred the appointment of the Dranesville District Representative to the Community Action Advisory Board.

COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE

The Board deferred the appointment of the Mason District Representative to the Countywide Non-Motorized Transportation (Trails) Committee.

Chairman Connolly indicated that he had an opportunity recently to walk on the Cross County Trail in Mason District and encouraged others to visit the trail. He

commended the Park Authority for its efforts.

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointment of the Hunter Mill District Representative to the Criminal Justice Advisory Board.

ECONOMIC DEVELOPMENT AUTHORITY

Chairman Connolly moved the reappointment of Mr. Steven Davis as the At-Large #5 Citizen Representative to the Economic Development Authority. Supervisor DuBois seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Ms. Ann Rodriguez as the At-Large #7 Citizen Representative to the Economic Development Authority. Supervisor Gross seconded the motion, which carried by unanimous vote.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment to the Environmental Quality Advisory Council:

- Ms. Eleni Orphanides as the Student Representative

Supervisor Kauffman seconded the motion, which carried by unanimous vote.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointments of the Hunter Mill, Providence, and Springfield District Representatives to the Fairfax Area Disability Services Board.

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

Supervisor Hudgins moved the reappointment of Mr. David Eisenman as the Hunter Mill District Representative to the Fairfax County Convention and Visitors Corporation Board of Directors. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Mr. Chuck Cope as the Providence District Representative to the Fairfax County Convention and Visitors Corporation Board of Directors. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Lee and Mason District Representatives to the Fairfax County Convention and Visitors Corporation Board of Directors.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

The board deferred the appointments of the At-Large #4 and Springfield District Representatives to the Fairfax-Falls Church Community Services Board.

HEALTH CARE ADVISORY BOARD

Supervisor DuBois moved the reappointment of Ms. Rosanne Rodilosso as the Dranesville District Representative to the Health Care Advisory Board. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Rose Chu as the Mason District Representative to the Health Care Advisory Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Susan Randall as the Mount Vernon District Representative to the Health Care Advisory Board. Supervisor McConnell seconded the motion, which carried by unanimous vote.

HEALTH SYSTEMS AGENCY BOARD

Supervisor Frey moved the appointment of Ms. Carol Ann Coryell as the Consumer #6 Representative to the Health Systems Agency Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Sallie Eissler as the Provider #2 Representative to the Health Systems Agency Board. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the appointment of Mr. Lee Draznin as the Provider #4 Representative to the Health Systems Agency Board. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Consumer #2 Representative to the Health Systems Agency Board.

HUMAN SERVICES COUNCIL

Supervisor Bulova moved the appointment of Captain John Niemiec to fill the unexpired term of Mr. Lee Draznin as the Braddock District #1 Representative to the Human Services Council. Chairman Connolly seconded the motion, which carried by unanimous vote.

INDUSTRIAL DEVELOPMENT AUTHORITY

Chairman Connolly moved the appointment of Mr. Douglas Denny to fill the unexpired term of Ms. Mertis Horton as the At-Large #3 Representative to the Industrial Development Authority. Supervisor Hyland seconded the motion, which carried by unanimous vote.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Supervisor Bulova moved the:

- Appointment of Mr. Robert Bermingham to fill the unexpired term of Ms. Janet Muldoon as the Braddock District Representative to the Juvenile and Domestic Relations Court Citizens Advisory Council.
- Direction to staff to invite Ms. Janet Muldoon to appear before the Board to be recognized for her many years of services to the Juvenile and Domestic Relations Court Citizens Advisory Council.

Supervisor Kauffman seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Lee, Providence, and Springfield District Representatives to the Juvenile and Domestic Relations Court Citizens Advisory Council.

LIBRARY BOARD

Supervisor McConnell moved the reappointment of Dr. Joseph Sirth as the Springfield District Representative to the Library Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

NORTHERN VIRGINIA COMMUNITY COLLEGE BOARD

The Board deferred the appointment of the Fairfax County #3 Representative to the Northern Virginia Community College Board.

The Board noted that Mr. Robert Rogers could not be reappointed due to term limits.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

Supervisor McConnell moved the reappointment of Ms. Jacqueline Stephens as the Springfield District Representative to the Oversight Committee on Drinking and Driving. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Ronald Miner as the Sully District Representative to the Oversight Committee on Drinking and Driving. This motion, the second to which was inaudible, carried by unanimous vote.

The Board deferred the appointments of the Braddock, Dranesville, Mason, and Providence District Representatives to the Oversight Committee on Drinking and Driving.

ROAD VIEWERS BOARD

The Board deferred the appointments of the At-Large #1 and At-Large #4 Representatives to the Road Viewers Board.

SMALL BUSINESS COMMISSION

The Board deferred the appointments of the Hunter Mill and Mason District Representatives to the Small Business Commission.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Landlord Member #3 Representative to the Tenant Landlord Commission.

VOLUNTEER FIRE COMMISSION

CONFIRMATIONS:

Supervisor Hyland moved the confirmation of the following appointments to the Volunteer Fire Commission:

- Mr. Darrell Duane as the At-Large Representative
- Mr. Mark Servello as the Volunteer Fire and Rescue Association Representative
- Mr. Joseph Peralis as the Zone III Representative
- Mr. Michael Masciola as the Zone IV Representative

Supervisor Bulova seconded the motion, which carried by unanimous vote.

WATER AUTHORITY

Supervisor Gross moved the reappointment of Mr. Harry Day as the Mason District Representative to the Water Authority. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Bill Evans as the Mount Vernon District Representative to the Water Authority. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Burton Rubin as the Springfield District Representative to the Water Authority. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Chairman Connolly asked unanimous consent that the Board direct the Water Authority to monitor the proposed fee differential by the Falls Church Water Authority. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board took action regarding water service. See Clerk's Summary Item CL#87.)

AD HOC COMMITTEES**TYSONS CORNER TRANSPORTATION AND URBAN DESIGN STUDY COORDINATING COMMITTEE**

Supervisor Hudgins moved the appointment of Mr. Hank Chao as the Hunter Mill District #4 Representative to the Tysons Corner Transportation and Urban Design Study Coordinating Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Kahan Singh Dhillon, Jr. as the Mount Vernon District Representative to the Tysons Corner Transportation and Urban Design Study Coordinating Committee. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the appointment of Mr. Phil Sparks as the Springfield District Representative to the Tysons Corner Transportation and Urban Design Study Coordinating Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the appointment of Ms. Sally Liff as the Tysons Neighborhood (north of Route 123) Representative to the Tysons Corner Transportation and Urban Design Study Coordinating Committee. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the appointment of Ms. Amy Tozzi as the Tysons Neighborhood (south of Route 123) Representative to the Tysons Corner Transportation and Urban Design Study Coordinating Committee. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the appointment of Mr. Thomas Parke as the Tysons Neighborhood (Westwood at Ashgrove) Representative to the Tysons Corner Transportation and Urban Design Study Coordinating Committee. Chairman Connolly seconded the motion, which carried by unanimous vote.

CONFIRMATIONS:

Supervisor Bulova moved the confirmation of the following appointments to the Tysons Corner Transportation and Urban Design Study Coordinating Committee:

- Mr. Edward Chase as the Town of Vienna Planning Commission Representative
- Mr. Gary Lance as the TYTRAN #1 Representative
- Mr. John Anderson as the TYTRAN #2 Representative
- Mr. Keith Turner as the TYTRAN #3 Representative

This motion, the second to which was inaudible, carried by a unanimous vote.

Following discussion, Supervisor DuBois asked unanimous consent that the Board direct staff to add two seats, one for the Vienna-Tysons Chamber of Commerce and one for McLean Chamber of Commerce, to the Tysons Corner Transportation and Urban Design Study Coordinating Committee. Without objection, it was so ordered.

Following additional discussion, Chairman Connolly moved that the Board direct staff to add a seat for the Arts Council to the Tysons Corner Transportation and Urban Design Study Coordinating Committee. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the appointment of Mr. Willard "Billy" Thompson as the Vienna-Tysons Chamber of Commerce Representative to the Tysons Corner Transportation and Urban Design Study Coordinating Committee. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Sully District, Arts Council, and McLean Chamber of Commerce Representatives to the Tysons Corner Transportation and Urban Design Study Coordinating Committee.

(NOTE: Later in the meeting, the Board took further action regarding this committee. See Clerk's Summary Item CL#67.)

DET:det

15. **ADMINISTRATIVE ITEMS** (11:41 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Hyland seconded the motion.

Supervisor Hudgins called the Board's attention to Admin 14 – Authorization to Reallocate and Use Home Investment Partnerships Program Funds to Pay Sanitary Availability Fees and Associated Development Costs for the Little River Glen III Elderly Project (Braddock District), and discussion ensued with input from John L. Payne, Acting Director, Design, Development, and Construction Division, Department of Housing and Community Development, regarding the effect of the movement of funds.

Supervisor Smyth called the Board's attention to Admin 20 – Authorization to Advertise Public Hearings on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Regional Rail Transit Facilities, and discussion ensued with input from William Shoup, Zoning Administrator, Department of Planning and Zoning (DPZ), and James P. Zook, Director, DPZ, regarding:

- Landscaping, screen design, and architectural technique on interstate or Dulles International Airport access highway right-of-way and accessory regional transit facility and the non-application of a 200-foot minimum distance set-back that applies to railroad tracks.
- Regional transit facilities and the 2232 public facilities process.

Following further discussion, Anthony H. Griffin, County Executive, noted that it was appropriate to exempt those facilities that were central (the track and the power stations associated with the track), not the stations or the facilities that support the stations. Richard F. Stevens, Dulles Rail Project Coordinator, Department of Transportation, explained that the State Department of Conservation Resources would implement the stormwater management program and would be abiding by County regulations which were stricter than the State's.

Following additional discussion concerning the right-of-way for the connector road between Interstate 66 and the Dulles Toll Road, Chairman Connolly

relinquished the Chair to Vice-Chairman Bulova and moved to amend the motion to consider Admin 20 and Admin 21 separately. This was accepted.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The question was called on the motion, as amended, with the exception of Admin 20 and Admin 21, and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE ASSIGNMENT OF THE EXISTING REVENUE LEASE AGREEMENT FOR FUN AND FRIENDS CHILD DEVELOPMENT CENTER, INCORPORATED, AT THE LEWINSVILLE FACILITY TO RICHMOND AND LYNN ABBE (DRANESVILLE DISTRICT) (12:11 p.m.)

Authorized the advertisement of a public hearing to be held before the Board on **July 11, 2005, at 4 p.m.** regarding the assignment of the existing Revenue Lease Agreement for Fun and Friends Child Development Center, Incorporated, 1609 Great Falls Street, McLean, Virginia, Tax Map Number 030-3-01-0042 to Richmond and Lynn Abbe.

ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (MOUNT VERNON AND PROVIDENCE DISTRICTS)

Approved an extension of review period for the following Public Facility (2322) Review Applications:

- FSA-P96-24-1 to August 26, 2005
- 2232-V04-16 to November 21, 2005

ADMIN 3 – APPROVAL OF TRAFFIC-CALMING MEASURES FOR OLIN DRIVE AS PART OF THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION (DOT) RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (MASON DISTRICT)

- Endorsed the traffic-calming plan for Olin Drive as proposed by DOT and the Virginia Department of Transportation (VDOT), consisting of one speed table adjacent to 3104 and 3105 Olin Drive.
- Directed staff to request VDOT to install the approved measure as soon as possible.

ADMIN 4 – INSTALLATION OF A MULTI-WAY STOP AT LAGRANGE STREET AND POLLEN STREET (MOUNT VERNON DISTRICT)

- Endorsed the installation of a multi-way stop, as part of the Department of Transportation's Residential Traffic Administration Program at Lagrange Street and Pollen Street (Mount Vernon District)
- Directed staff to request the Virginia Department of Transportation to install the necessary signs at the earliest possible date.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE PINECREST COMMUNITY PARKING DISTRICT (CPD) (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 11, 2005, at 4:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Pinecrest CPD, in accordance with current CPD restrictions, to be in effect seven days per week, 24 hours per day. The proposed CPD includes Pinecrest Vista Drive (Route 7248).

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, EXPANDING THE RIVERVIEW COMMUNITY PARKING DISTRICT (CPD) (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 11, 2005, at 4:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Appendix M, expanding the Riverview CPD, in accordance with the current CPD restrictions, to be in effect seven days per week, 24 hours per day. The proposed CPD expansion includes 13th Street (Route 1505) from I Street to H Street and the eastside only from H Street to Belle View Boulevard.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 14 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 25, 2005, at 4 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Annandale RPPD, District 14.

The proposed district expansion includes the following street blocks:

- Medford Drive (Route 3087) from Weyburn Drive (Route 3059) to Kingman Drive (3072)
- Rawlins Road (Route 3097) from Medford Drive to the end
- Mayfield Drive (Route 3060) from Weyburn Drive to Gaylord Drive (Route 3062)
- Weyburn Drive from Kingman Drive to Mayfield Drive

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE LANGLEY RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 20 (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 25, 2005, at 4 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Langley RPPD, District 20. The proposed district expansion includes Ridge Drive (Route 6090) from Ridge Drive to Briar Hill Court (Route 6089), excluding the areas that are designated as “No Parking” by the Virginia Department of Transportation.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE MCLEAN RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 21 (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 25, 2005, at 4 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the McLean RPPD, District 21. The proposed district expansion includes Westmoreland Street (Route 693) west side from Rosemont Drive (Route 1960) to Broyhill Street (Route 2035).

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE STONE CREEK CROSSING COMMUNITY PARKING DISTRICT (CPD) (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 11, 2005, at 4:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Stone Creek Crossing CPD, in

accordance with the current CPD restrictions, to be in effect seven days per week, 24 hours per day. The proposed district includes the following:

- Fields Brigade Road (Route 7968) the east side only from Monument Drive to the west boundary of parcels 45-4 ((1)) 32 and 45-4 ((1)) 33, and both sides from the east boundary of parcels 45-4 ((1)) 32 and 45-4 ((1)) 33 to intersection of Rosemead Drive
- Meadow Field (Route 7961) from the intersection of Rosemead Drive to Fair Ridge Drive
- Tall Timbers Drive (Pending) from Fields Brigade Road to the terminus

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE FAIR OAKS/FAIR WOODS COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 11, 2005, at 4:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Fair Oaks/Fair Woods CPD, in accordance with the current CPD restrictions, to be in effect seven days per week, 24 hours per day. The proposed district includes the following:

- Alder Woods Drive (Route 7201) from Joseph Siewick Drive to Lee Jackson Memorial Highway
- Burning Bush Drive (Route 7200) from Corkwood Place to the terminus cul-de-sac inclusive

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE MOUNT VERNON MEMORIAL HIGHWAY AT ROUTE 1 PROJECT (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 11, 2005, at 4 p.m.** regarding the acquisition of certain land rights necessary for the construction of Project 064234 – Mount Vernon Memorial Highway at Route 1, in Fund 304, Primary and Secondary Road Bond Construction.

ADMIN 13 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05111 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES (VDSS) TO CONTINUE VIRGINIA INSTITUTE FOR SOCIAL SERVICES TRAINING ACTIVITIES (VISTA) FOR HUMAN SERVICES STAFF AND LICENSED AND NON-LICENSED DAY CARE PROVIDERS

(SAR) Approved SAR AS 05111 in the amount of \$906,940 for DSF to accept grant funds from VDSS for State sponsored training for local departments of social services and licensed and non-licensed day care settings through the VISTA program. No local cash match is required.

ADMIN 14 – AUTHORIZATION TO REALLOCATE AND USE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS TO PAY SANITARY AVAILABILITY FEES AND ASSOCIATED DEVELOPMENT COSTS FOR THE LITTLE RIVER GLEN III ELDERLY PROJECT (BRADDOCK DISTRICT)

(NOTE: Earlier in the meeting, there was discussion on this item. See page 17.)

Approved the reallocation and use of up to \$492,000 in federal HOME funds to pay County sanitary availability fees and other associated development costs for the Little River Glen III elderly project.

ADMIN 15 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO APPLY FOR AND ACCEPT FUNDING FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES (VDSS) FOR A SUPPLEMENTAL SECURITY INCOME (SSI) ADVOCACY PROJECT FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) RECIPIENTS

Authorized DFS to apply for and accept funding, if awarded, from VDSS in the amount of \$131,856 for an SSI advocacy project. No local cash match is required.

ADMIN 16 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 00-H-035, AC ASSOCIATES II, LIMITED PARTNERSHIP (HUNTER MILL DISTRICT)

(AT) Approved 24 months of additional time to commence construction for Special Exception Application SE 00-H-035 to August 26, 2007, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 17 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT COPS 2005 TECHNOLOGY PROGRAM GRANT FUNDING FROM THE US DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES

Authorized FCPD to apply for and accept, if awarded, two COPS 2005 Technology Program grants in the amount of \$937,311 and \$49,332 to continue the capability enhancement of the National Capital Regional Intelligence Center. No local cash match is required.

ADMIN 18 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05109 FOR THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) TO ACCEPT GRANT FUNDING FROM THE COMMONWEALTH OF VIRGINIA – GOVERNOR’S OPPORTUNITY FUND

(SAR) Approved SAR AS 05109 for the EDA to accept grant funding in the amount of \$600,000 from the Commonwealth of Virginia as part of the Governor’s Opportunity Fund. No local cash match is required.

ADMIN 19 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05095 FOR FAIRFAX COUNTY TO ACCEPT DEPARTMENT OF HOMELAND SECURITY URBAN AREAS SECURITY INITIATIVE SUB-GRANT AWARDS FROM THE DISTRICT OF COLUMBIA

(SAR) Approved SAR AS 05095 in the amount of \$12,742,728 to be used by various County agencies to enhance security and overall preparedness by implementing the projects summarized in Attachment One of the Board Agenda Item dated June 20, 2005. No local cash match is required.

ADMIN 20 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING REGIONAL RAIL TRANSIT FACILITIES

(NOTE: Earlier in the meeting, there was discussion on this item. See page 17.)

(NOTE: Later in the meeting, the Board took action on this item. See Clerk’s Summary Item CL#16.)

ADMIN 21 – AUTHORIZATION FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO APPLY FOR FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FOR STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANTS

(NOTE: Earlier in the meeting, there was discussion on this item. See page 17.)

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Item CL#17.)

16. **ADMIN 20 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING REGIONAL RAIL TRANSIT FACILITIES** (11:56 a.m.)

(R) (As) (NOTE: Earlier in the meeting, the Board took action to consider this item separately. See Clerk's Summary Item CL#15.)

Discussion ensued, with input from James P. Zook, Director, Department of Planning Zoning (DPZ), who assured the Board that:

- DPZ would be looking at these projects through 2232.
- DPZ was a partner in the process with a seat at the table.
- Staff would be vigilant to the issues the Board raised.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to compile a list of questions and answers, including those raised today and any others that might be anticipated, to be available to the Board at the time of the public hearing. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Hudgins moved adoption of the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 21, 2005, at 8:15 p.m. and before the Board on **July 25, 2005, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding regional rail transit facilities. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor McConnell being absent.

Supervisor Frey stated that the advertisement that the Board just authorized treated all regional rail transportation facilities in the same manner. To provide a similar Zoning Ordinance amendment for all non-rail regional transportation facilities, he moved that the Board direct staff to include an item on DPZ's 2005 Priority 1 Work Program that would address revisions to the Zoning Ordinance to treat all non-rail regional transportation facilities in the same manner. Chairman

Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

17. **ADMIN 21 – AUTHORIZATION FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO APPLY FOR FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FOR STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANTS**
(12:04 p.m.)

(NOTE: Earlier in the meeting, the Board took action to consider this item separately. See Clerk's Summary Item CL#15.)

Following discussion concerning the addition of a fourth person to the rescue crew with input from Michael Neuhard, Chief, Fire and Rescue Department, Supervisor Gross moved authorization to FRD to apply for funding from the US Department of Homeland Security for the SAFER grant program in the amount of \$3,388,340 to be received over a four-year period, as a partial contribution towards hiring an additional 29 merit uniform positions and for the recruitment and retention of volunteer firefighters. No local cash match is required. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

Chairman Connolly stated for the record that this was a significant expansion of staffing and committed the County to that expansion in exchange for the accepting of the funds. He said that like the old Community Oriented Policing Services program, it ramped-up County funding over a four-year time period but that increase in staffing and money must be weighed against the importance of protecting public safety.

ADDITIONAL BOARD MATTERS

18. **REQUEST FOR A BRIEFING IN CLOSED SESSION** (12:09 p.m.)

Supervisor Hyland asked unanimous consent that the Board direct staff to prepare a briefing for closed session regarding questions about 911 and personnel matters. Without objection, it was so ordered.

19. **INTRODUCTION OF A VISITING DELEGATION FROM THE REPUBLIC OF MALI** (12:10 p.m.)

Supervisor Bulova recognized the presence of a visiting delegation from the Republic of Mali who were in the area studying government in Northern Virginia and, on behalf of the Board, she warmly welcomed them to Fairfax County.

AGENDA ITEMS

20. **A-1 – EXPANSION OF THE APPROVED SEWER SERVICE AREA (ASSA) TO INCLUDE A PORTION OF THE LORTON-SOUTH ROUTE 1 COMMUNITY PLANNING SECTOR (MOUNT VERNON DISTRICT)**

(12:11 p.m.)

Supervisor Hyland asked unanimous consent to defer consideration of this item until later in the meeting following action on the proposed Out-of-Turn Plan Amendment OTPA S05-IV-LP1 concerning Gunston Center. Without objection, it was so ordered.

(NOTE: Later in this meeting, the Board took action on this item. See Clerk's Summary Item CL#50.)

21. **A-2 – AUTHORIZATION FOR THE COUNTY EXECUTIVE TO EXECUTE AMENDMENTS TO TWO SEPARATE AGREEMENTS FOR SEWER SERVICE BETWEEN THE RESPECTIVE GOVERNING BODIES OF FAIRFAX COUNTY AND PRINCE WILLIAM COUNTY AND BETWEEN FAIRFAX COUNTY AND THE PRINCE WILLIAM COUNTY SERVICE AUTHORITY (PWCSA) (MOUNT VERNON DISTRICT)** (12:11 p.m.)

Supervisor Hyland asked unanimous consent to defer consideration of this item until later in the meeting following action on the proposed Out-of-Turn Plan Amendment OTPA S05-IV-LP1 concerning Gunston Center. Without objection it was so ordered.

(NOTE: Later in this meeting, the Board took action on this item. See Clerk's Summary Item CL#50.)

22. **A-3 – DESIGNATION OF VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FISCAL YEAR (FY) 2005-06 REVENUE SHARING PROGRAM FUNDS AND MATCHING FAIRFAX COUNTY FUNDS (LEE, MOUNT VERNON, SPRINGFIELD, AND SULLY DISTRICTS)** (12:12 p.m.)

(R) On motion of Supervisor Frey, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and adopted the Resolution designating a maximum of \$1 million in FY 2005-06 VDOT Revenue Sharing Program Funds, \$500,000 in matching funds from the Northern Virginia Transportation Commission, and \$500,000 in funds available within Fund 301, Contributed Roadway Improvement Fund, to partially fund the Richmond Highway Public Transportation Initiative and the widening of Route 29 (Lee

Highway) from a four-lane to a six-lane divided facility from Old Centreville Road (Route 898) to Shirley Gate Road (Route 655).

ADDITIONAL BOARD MATTER

23. **RECOGNITION OF YOUNG HO CHANG, DIRECTOR, DEPARTMENT OF TRANSPORTATION** (12:13 p.m.)

Supervisor Kauffman thanked staff for continuing to advance the efforts of the Richmond Highway initiative and noted that Young Ho Chang, Director, Department of Transportation, had cited that in a recent article concerning his departure from County employment. Supervisor Kauffman moved that the Board direct staff to invite Mr. Chang to appear before the Board to recognize his incredible efforts over the past six years. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

AGENDA ITEMS

24. **A-4 – REVISIONS TO PERSONNEL REGULATIONS IMPLEMENTING FISCAL YEAR (FY) 2006 ADOPTED BUDGET PLAN DECISIONS AND AMENDMENTS TO THE CODE OF VIRGINIA** (12:14 p.m.)

On motion of Supervisor Gross, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved the proposed revisions to the Personnel Regulations implementing FY 2006 Adopted Budget Plan decisions and recent amendments to the *Code of Virginia*.

25. **A-5 – DISCLOSURE AGREEMENT RELATED TO THE ISSUANCE OF REFUNDING BONDS BY THE UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA) (SULLY DISTRICT)** (12:14 p.m.)

(BONDS) Supervisor Frey moved that the Board concur in the recommendation of staff and approve a Disclosure Agreement and authorize the Chairman of the Board to execute the agreement, on behalf of the Board, in substantially the form presented.

Chairman Connolly added that it was important to note that this would save the UOSA an accumulation of \$2.5 million.

Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

26. **A-6 – 2005 SCHOOL BOND REFERENDUM** (12:15 p.m.)

(BONDS)

(R)

Supervisor Hyland moved that the Board concur in the recommendation of staff and adopt the Resolution requesting an Order for Election on the issuance of bonds in the amount of \$246,325,000. The second to the motion was inaudible.

Discussion ensued concerning the Base Realignment and Closure Commission and the review process.

The question was called on the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor McConnell being out of the room.

Chairman Connolly thanked the School Board for its reconsideration of this matter.

27. **C-1 – BOARD DECISION ONLY ON AN APPEAL BY BATAL CORBIN, LLC, OF A PROFFER INTERPRETATION FOR REZONING APPLICATION RZ 1999-PR-035 (PROVIDENCE DISTRICT)** (12:24 p.m.)

(NOTE: On April 25, 2005, the Board considered this item and deferred decision until May 9, 2005. On May 9, 2005, the Board deferred decision on this item until June 6, 2005. On June 6, 2005, the Board deferred decision on this item until June 20, 2005.)

Supervisor Smyth reported that the appellant in this case filed a Proffered Condition Amendment (PCA) on Friday and she moved to indefinitely defer decision on the appeal by Batal Corbin, LLC of a proffer interpretation for Rezoning Application RZ 1999-PR-035, pending the processing of the PCA. Supervisor DuBois seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

28. **I-1 – CONTRACT AWARD – FINANCIAL CONSULTANT FOR THE WASTEWATER MANAGEMENT PROGRAM** (12:25 p.m.)

The Board next considered an item contained in the Board Agenda dated June 20, 2005, requesting authorization for staff to award a contract to Public Resource Management Group, Incorporated, potentially in the amount of \$1,300,620, inclusive of the initial contract period and three one-year renewal options, for consultant services for cost of service analyses, financial forecasting, long-range strategic financial planning, availability fee development, and asset management.

The staff was directed administratively to proceed as proposed.

29. **I-2 – CONTRACT AWARD – CONTRACT FOR ARCHITECTURAL/ENGINEERING DESIGN SERVICES FOR THE GIRLS PROBATION HOUSE (SPRINGFIELD DISTRICT)** (12:25 p.m.)

The Board next considered an item contained in the Board Agenda dated June 20, 2005, requesting authorization for staff to award a contract to Cole and Denny, Incorporated, in the amount of \$699,000 for architectural and engineering design services for Project 04A001, Girls Probation House, in Fund 311, County Bond Construction.

Supervisor Frey asked unanimous consent that the record be corrected to reflect that technically the facility is now in the Springfield District. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

30. **I-3 – QUARTERLY STATUS REPORT ON THE BOARD'S FOUR-YEAR TRANSPORTATION PLAN** (12:25 p.m.)

The Board next considered an item contained in the Board Agenda dated June 20, 2005, reporting on the quarterly status of the Board's Four-Year Transportation Plan. Discussion ensued concerning various projects with input from Katharine Ichter, Chief, Transportation Planning and Operations Division, Department of Transportation, and Larry Ichter, Chief, Transportation Design Branch, Capital Facilities, Department of Public Works and Environmental Services.

Supervisor Gross asked unanimous consent that the Board direct staff to report on the policy to maintain bicycle and pedestrian access during intersection improvement work. Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to alert the Board, as soon as possible, when they knew there would be a delay. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

31. **I-4 – STORMWATER MANAGEMENT PROGRAM IMPLEMENTATION AND SPENDING PLAN** (12:31 p.m.)

The Board next considered an item contained in the Board Agenda dated June 20, 2005, reporting on the stormwater management implementation and spending plan. Discussion ensued with input from Carl Bouchard, Director of Stormwater Management, Department of Public Works and Environmental Services (DWPES), concerning pro-rata funding, and Scott R. Sinclair, Director, Maintenance and Stormwater Management Division, DPWES.

Supervisor Kauffman asked unanimous consent that the Board direct staff to:

- Identify specific projects, or
- If the funds were not tied to specific projects, how the normal decision matrix might be modified or explain how it plugs into the decision matrix to ensure that the money is well spent.

Without objection, it was ordered.

Following further discussion, with input from Jimmie Jenkins, Director, DPWES, concerning the dredging of Lake Accotink, Chairman Connolly and Supervisor DuBois jointly complimented Mr. Jenkins and his staff on their report.

32. **I-5 – IMPLEMENTATION OF CHANGES TO THE BLIGHT ABATEMENT PROGRAM** (12:36 p.m.)

Supervisor Kauffman asked unanimous consent to withdraw this item, and that the Board direct staff to:

- Review the written concerns he had submitted to them.
- Report with this item as an action item.

Without objection, it was so ordered.

Supervisor Gross and Supervisor Hyland jointly asked unanimous consent that the Board direct staff not to change the name of the blight abatement program to the neighborhood enhancement program. Without objection, it was so ordered.

Supervisor Smyth noted that the list submitted by Supervisor Kauffman referenced a shared data base. Supervisor Smyth asked unanimous consent that the Board direct staff to determine if Supervisors' offices could have access to the shared data base. Without objection, it was so ordered.

Supervisor Smyth asked unanimous consent that the Board direct staff to review a statutory approach to construction blight. Following discussion, with input from Anthony H. Griffin, County Executive, without objection, it was so ordered.

33. **I-6 – CONTRACT AWARD – ROUTE 50/WAPLES MILL ROAD INTERSECTION IMPROVEMENTS (PROVIDENCE AND SPRINGFIELD DISTRICTS)** (12:40 p.m.)

The Board next considered an item contained in the Board Agenda dated June 20, 2005, requesting authorization for staff to award a contract to Omni Excavators, Incorporated, in the amount of \$2,218,377.75 for the construction of

Route 50/Waples Mill Road Intersection Improvements, Project 007701 in Fund 301, Contributed Roadway Improvements.

The staff was directed administratively to proceed as proposed.

34. **ORDERS OF THE DAY** (12:41 p.m.)

Chairman Connolly noted that there were two events currently occurring: the Base Realignment and Closure Commission meeting; and a Senate committee meeting that he would be testifying at on behalf of the Board on land use and transportation. Therefore, Board Matters would be presented later in the meeting.

ADDITIONAL BOARD MATTERS

35. **INTRODUCTION OF MR. PETER MASSEY (LEE DISTRICT)**
(12:42 p.m.)

Supervisor Kauffman introduced Peter Massey, a recent graduate of James Madison University, who is interning in the Lee District office through mid-July.

36. **INTRODUCTION OF MR. RONALD FITZSIMMONS (MOUNT VERNON DISTRICT)** (12:42 p.m.)

Supervisor Hyland introduced Ronald Fitzsimmons, a member of his staff.

37. **PUBLIC HEARINGS TO BE DEFERRED (MOUNT VERNON DISTRICT)**
(12:42 p.m.)

Supervisor Hyland announced his intent to defer, later in the meeting at the appropriate time, the following public hearings:

- Rezoning Application RZ 2004-MV-030
- Spot Blight Abatement Ordinance for 8301 Cooper Street

38. **INTRODUCTION OF MR. CHRISTOPHER HOLLAND (MASON DISTRICT)** (12:44 p.m.)

Supervisor Gross introduced Mr. Christopher Holland who is interning in the Mason District office this summer. Mr. Holland just completed his freshman year at Virginia Tech and will be transferring to the University of Virginia in the fall.

39. **RECESS/CLOSED SESSION** (12:44 p.m.)

Supervisor Gross moved that the Board recess and go into closed session at 2 p.m. for discussion and consideration of matters enumerated in *Virginia Code* Section 2.2-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
 - 1. *Julian Warren v. Richard T. Cruger, Jr., and the County of Fairfax, Virginia*, At Law No. CL-2004-0224315 (Fx. Co. Cir. Ct.)
 - 2. *Trinity Centre One, L.L.C. v. Board of Supervisors of Fairfax County, Virginia*, At Law No. CL-2004-0227957 (Fx. Co. Cir. Ct.)
 - 3. *West Lewinsville Heights Citizens Association, Stephen L. Sulzer, Leonard N. Berman, Daniel J. Wolkensdorfer, Donald N. Huff, and Robert F. Rosenbaum v. Board of Supervisors of Fairfax County, Virginia, Fairfax County Park Authority, and William E. Shoup, Fairfax County Zoning Administrator*, Record No. 042274; *Board of Zoning Appeals of Fairfax County v. Board of Supervisors of Fairfax County, Virginia, Fairfax County Park Authority, and William E. Shoup, Fairfax County Zoning Administrator*, Record No. 042326 (Sup. Ct. Va.) (Dranesville District)
 - 4. *The Ira and Virginia Cox Limited Partnership, LLP, et al. v. Board of Zoning Appeals, et al.*, At Law No. CL-2002-0210690 (Fx. Co. Cir. Ct.); *William E. Shoup, Fairfax County Zoning*

Administrator v. The Ira and Virginia Cox Limited Partnership, LLP, In Chancery No. CH-2003-0183107 (Fx. Co. Cir. Ct.), Record No. 042782 (Sup. Ct. Va.) (Sully District)

5. *William E. Shoup, Fairfax County Zoning Administrator v. Eugene G. Hopson*, In Chancery No. CH-2004-0189092 (Fx. Co. Cir. Ct.) (Braddock District)
6. *William E. Shoup, Fairfax County Zoning Administrator v. E. Mallery Binns and Ercell H. Binns*, In Chancery No. CH-2004-0193641 (Fx. Co. Cir. Ct.) (Mason District)
7. *William E. Shoup, Fairfax County Zoning Administrator v. Moe Nowrouzi and Belview Shopping Company, LLC*, In Chancery No. CH-2005-0001274 (Fx. Co. Cir. Ct.) (Mount Vernon District)
8. *William E. Shoup, Fairfax County Zoning Administrator v. Scott P. Shaul and Kimberly M. Putens*, In Chancery No. CH-2005-0001474 (Fx. Co. Cir. Ct.) (Mount Vernon District)
9. *Jane W. Gwinn, Fairfax County Zoning Administrator v. William R. White, et al.*, In Chancery No. CH-1999-0161689 (Fx. Co. Cir. Ct.) (Mount Vernon District)
10. In Re: The Grievance Appeal of Gary Sockwell (Fx. Co. Civil Service Commission)
11. In Re: The Grievance Appeal of Clifton Thomas (Fx. Co. Civil Service Commission)

And in addition:

- *Virginia Code* Section 15.2-2308 (D)
- *Fairfax County Code* Section 3-1-9

Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

DET:det

At 3:51 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Frey, and with Chairman Connolly presiding.

40. **ORDERS OF THE DAY** (3:51 p.m.)

Chairman Connolly announced that the Board would proceed with actions from closed session and public hearings before concluding with Board Matters.

ACTIONS FROM CLOSED SESSION

41. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:52 p.m.)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Smyth seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

42. **SETTLEMENT OF JULIAN WARREN VERSUS RICHARD T. CRUGER, JR., AND THE COUNTY OF FAIRFAX, VIRGINIA, AT LAW NUMBER CL-2004-0224315, FAIRFAX COUNTY CIRCUIT COURT** (3:52 p.m.)

Supervisor Hyland moved that the Board authorize the settlement of *Julian Warren versus Richard T. Cruger, Jr., and the County of Fairfax, Virginia*, At Law Number CL-2004-0224315, Fairfax County Circuit Court, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Frey seconded the motion and it carried by unanimous vote.

43. **AUTHORIZATION FOR THE COUNTY EXECUTIVE TO WORK WITH THE ELECTORAL BOARD AND GENERAL REGISTRAR** (3:53 p.m.)

Supervisor Gross moved that the Board authorize the County Executive to work with the Electoral Board and General Registrar to:

- Set the compensation for the secretary to the Electoral Board at the State-authorized amount of \$9,035 effective January 1, 2006, and the current full-time position allocated for this purpose will be abolished or reallocated as appropriate.

- Consolidate voter registration and election management functions under the management and supervision of the General Registrar.
- Determine the number of assistant registrar positions required to meet the needs of the County's citizens.
- Review, as part of the reorganization, the exempt versus merit status of current positions and employees and, where desirable, subject to Board concurrence, convert positions and employees to merit status.

Supervisor Smyth seconded the motion and it **CARRIED** by a recorded vote of nine, Supervisor Hudgins voting "NAY."

44. **SETTING OF SALARY FOR THE POSITION OF CLERK TO THE BOARD OF SUPERVISORS**) (3:54 p.m.)

Supervisor Gross moved that the Clerk to the Board of Supervisors be:

- Moved to the E scale at E-5, and that the Clerk's pay be set at \$82,696.70.
- Evaluated at the same time as other E scale employees, effective August 2006 and that that evaluation be brought before the Board by the County Executive for the Board's review and action.

Supervisor DuBois seconded the motion and it **CARRIED** by a recorded vote of nine, Chairman Connolly voting "NAY."

AGENDA ITEMS

PW:pw

45. **3 P.M. – BOARD DECISION ON SPECIAL EXCEPTION APPLICATION SE 2004-HM-036 (WALKER MANAGEMENT, INCORPORATED) (HUNTER MILL DISTRICT)** (3:55 p.m.)

(NOTE: On May 23, 2005, the Board held a public hearing on this item and deferred decision until June 6, 2005. On June 6, 2005, the Board deferred decision until June 20, 2005.)

The application property is located at 12001 Sunrise Valley Drive, Tax Map 17-3 ((8)) (4) 1.

Supervisor Hudgins moved to **DENY** Special Exception Application SE 2004-HM-036. Supervisor Hyland seconded the motion and it carried by a

vote of eight, Supervisor DuBois and Supervisor McConnell being out of the room.

46. **3 P.M. – BOARD DECISION ON REZONING APPLICATION RZ 2004-MV-030 (LUKEN COMPANY, LC) (MOUNT VERNON DISTRICT)** (3:58 p.m.)

Supervisor Hyland moved to defer decision on Rezoning Application RZ 2004-MV-030 until **July 25, 2005, at 3 p.m.** Chairman Connolly seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor McConnell being out of the room.

47. **3 P.M. – PH ON A SPOT BLIGHT ABATEMENT ORDINANCE FOR 8301 COOPER STREET (MOUNT VERNON DISTRICT)** (3:59 p.m.)

Supervisor Hyland moved to defer the public hearing on Spot Blight Abatement Ordinance for 8301 Cooper Street for 90 days. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor McConnell being out of the room.

48. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2005-LE-001 (SAUL HOLDINGS LIMITED PARTNERSHIPS BY: SAUL CENTERS, INCORPORATED, GENERAL PARTNER) (LEE DISTRICT)** (4 p.m.)

(NOTE: On May 23, 2005, the Board deferred the public hearing on this item until June 6, 2005. On June 6, 2005, the Board deferred the public hearing on this item until June 20, 2005, due to a power outage in the building.)

The application property is located at 6700 Richmond Highway in the southeast quadrant of Beacon Mall, Tax Map 93-1 ((1)) 1A pt.

Ms. Hillary Zahm reaffirmed the validity of the affidavit for the record.

Ms. Zahm had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Cathy Lewis, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Special Exception Application SE 2005-LE-001 subject to the development conditions dated June 16, 2005.

- Modification of the transitional screening and barrier requirements along the western property line in favor of the existing vegetation and fence.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

49. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2005-MA-005 (GOODWIN HOUSE INCORPORATED) (MASON DISTRICT)**

AND

PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-M-088 (GOODWIN HOUSE INCORPORATED) (MASON DISTRICT) (4:04 p.m.)

- (O) The application property is located on the west side of South Jefferson Street immediately south of the Fairfax County/Arlington County boundary at 3440 South Jefferson Street, Tax Map 62-1 ((1)) 16G.

Ms. Elizabeth Baker reaffirmed the validity of the affidavit for the record.

Ms. Baker had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2005-MA-005, from the C-3, CRD, SC, and HC Districts to the C-4, CRD, SC, and HC Districts, subject to the proffers dated June 17, 2005.
- Approval of Special Exception Amendment Application SEA 84-M-088, subject to the development conditions dated June 17, 2005.
- Modification of the transitional screening on the northern property boundary in favor of that shown on the GDP/SE Plat; modification of the Baileys Crossroads streetscape standards in favor of that shown on the GDP/SE Plat; and modification of the loading space requirement to permit three, instead of five, loading spaces.

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Hudgins and Supervisor McConnell being out of the room.

50. **3:30 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S05-IV-LP1, FOR PROPERTY [TAX MAP PARCELS 113-3 ((1)) 40, 41] LOCATED EAST OF RICHMOND HIGHWAY, WEST OF THE CSX RAILROAD TRACKS, NORTH AND SOUTH OF FURNACE ROAD (MOUNT VERNON DISTRICT)**

AND

PH ON REZONING APPLICATION RZ 2004-MV-020 (GUNSTON CENTER LLC) (MOUNT VERNON DISTRICT)

AND

A-1 – EXPANSION OF THE APPROVED SEWER SERVICE AREA (ASSA) TO INCLUDE A PORTION OF THE LORTON-SOUTH ROUTE 1 COMMUNITY PLANNING SECTOR (MOUNT VERNON DISTRICT)

AND

A-2 – AUTHORIZATION FOR THE COUNTY EXECUTIVE TO EXECUTE AMENDMENTS TO TWO SEPARATE AGREEMENTS FOR SEWER SERVICE BETWEEN THE RESPECTIVE GOVERNING BODIES OF FAIRFAX COUNTY AND PRINCE WILLIAM COUNTY AND BETWEEN FAIRFAX COUNTY AND THE PRINCE WILLIAM COUNTY SERVICE AUTHORITY (PWCSA) (MOUNT VERNON DISTRICT) (4:10 p.m.)

- (O) (NOTE: Earlier in the meeting, the Board deferred the action items. See Clerk's Summary Items CL#20 and CL#21.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

The application property is located east of Route 1, west of Richmond, Fredericksburg, and Potomac Railroad tracks and north and south of Furnace Road, Tax Map 113-3 ((1)) 40 and 41.

Leanna Hush, Planner II, Public Facilities Planning Branch, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations on Out-of-Turn Amendment S05-IV-LP1.

Ms. Inda Stagg reaffirmed the validity of the affidavit for the record.

Ms. Stag had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Cathy Belgin, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations on Rezoning Application RZ-2004-MV-020.

Following the public hearing, which included testimony by three speakers, discussion ensued with input from Ms. Belgin; J. Patrick Taves, Deputy County Attorney; and Shahram Mohsenin, Director, Wastewater Planning and Monitoring, Department of Public Works and Environmental Services.

Supervisor Hyland submitted a number of items for the record.

Supervisor Hyland moved to waive further reading of the staff and Planning Commission recommendations. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor McConnell being out of the room.

Supervisor Hyland moved approval of Out-of-Turn Amendment S05-IV-LP1 and adoption of the Planning Commission recommendation as shown in the handout dated June 20, 2005. In addition to the editorial changes, approval of the proposed amendment will delete Plan text that currently prevents the provision of public sewer service to Tax Map 113-3 ((1)) 41 and will add Plan text specifying that the 400-foot Rule shall not apply to Parcel 41. The approval of the proposed amendment will also add Plan text clarifying the planned land use for Tax Map 113-3 ((1)) parcel 40 as open space, and will add Plan text preventing the provision of public sewer service to Parcel 40. Supervisor Kauffman seconded the motion, which carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-MV-020, from the R-1 and I-4 Districts to the R-1 and I-4 Districts, subject to the proffers dated June 15, 2005.
- Approval of a modification of the transitional screening requirement along the southeastern and northeastern property lines of Parcel 41 in favor of that shown on the Generalized Development Plan.

- Approval of a waiver of the barrier requirement along the southeastern and northeastern property lines of Parcel 41.
- Approval of a waiver of the minimum lot width requirements for Parcels 40 and 41 in accordance with Section 9-619 of the Zoning Ordinance.
- Approval of a waiver of the service drive requirement along Richmond Highway for Parcel 41.

Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Frey and Supervisor McConnell being out of the room.

Supervisor Hyland called the Board’s attention to A-1 – Expansion of the Approved Sewer Service Area (ASSA) to Include a Portion of the Lorton-South Route 1 Community Planning Sector (Mount Vernon District) and moved that the Board concur with the recommendation of staff and authorize to expand the County’s ASSA as shown on Attachment 1 of the Board Item with the stated condition that the County’s administrative 400-foot rule does not apply to the expanded area. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

Supervisor Hyland called the Board’s attention to A-2 – Authorization for the County Executive to Execute Amendments to Two Separate Agreements for Sewer Service Between the Respective Governing Bodies of Fairfax County and Prince William County and Between Fairfax County and the Prince William County Service Authority (PWCSA) (Mount Vernon District) and moved that the Board concur with the recommendation of staff and authorize the County Executive to endorse the proposed amended agreements on behalf of the Board of Supervisors of Fairfax County and the County of Fairfax, respectively. Supervisor Smyth seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

51. **4 P.M. – PH REGARDING THE LEASING OF A PORTION OF COUNTY-OWNED PROPERTY AT THE INTERSECTION OF THE FAIRFAX COUNTY PARKWAY AND BARON CAMERON AVENUE, RESTON, VIRGINIA, TO OMNIPOINT COMMUNICATIONS CAP OPERATIONS, LLC (DOING BUSINESS AS “T-MOBILE”) (HUNTER MILL DISTRICT)**
(4:47 p.m.)

(NOTE: On June 6, 2005, the Board deferred the public hearing on this item until June 20, 2005, due to a power outage in the building.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 19 and May 26, 2005.

Patrick Ryan, Staff, Facilities Management Department, presented the staff report.

Following the public hearing, Supervisor Hudgins moved that the Board authorize County staff to execute a lease, substantially in accordance with the proposed lease, with Omnipoint Communications Cap Operations, LLC, doing business as T-Mobile for a portion of County-owned property at the intersection of the Fairfax County Parkway and Baron Cameron Avenue, Reston, Virginia for the purpose of installing a telecommunications base station. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

52. **4 P.M. – PH ON PROPOSED POLICY PLAN AMENDMENT S01-CW-15CP REGARDING UPDATES TO THE PARKS AND RECREATION SECTION OF THE POLICY PLAN** (4:49 p.m.)

(NOTE: On June 6, 2005, the Board deferred the public hearing on this item until June 20, 2005, due to a power outage in the building.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 19 and May 26, 2005.

David B. Marshall, Chief, Facilities Planning Branch, Planning Division, Department of Planning and Zoning, presented the staff report.

Discussion ensued regarding acreage standards with input from Lynn Tadlock, Director, Planning and Development Division, (PDD), Fairfax County Park Authority (FCPA); and Sandy Stallman, Long Range Planner, PDD, FCPA.

Supervisor Smyth submitted an item for the record.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved approval of Policy Plan Amendment S01-CW-15CP, as

recommended by the Planning Commission as shown on Attachment 1 of the Board Item. Supervisor DuBois seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

53. **4 P.M. – PH REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR EXPANSION OF ROBERTS PARKWAY (BRADDOCK DISTRICT)** (5:03 p.m.)

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

Diana Wolfrey, Management Analyst, Facilities Management Department, presented the staff report.

Following the public hearing, Supervisor Bulova moved adoption of the Resolution authorizing the conveyance of County-owned property to the Virginia Department of Transportation for expansion of Roberts Parkway. Chairman Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Hyland and Supervisor McConnell being out of the room.

54. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW** (5:06 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

Robert M. Ross, Assistant County Attorney, presented the staff report.

Following the public hearing and discussion regarding the fact that the recession of the photo red light authority was State mandated, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law, adopting actions of the 2005 General Assembly as shown in Attachment 1 of the Board Item. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Hudgins and Supervisor McConnell being out of the room.

55. **4 P.M. – PH ON A SPOT BLIGHT ABATEMENT ORDINANCE FOR 7159 BARRY ROAD (LEE DISTRICT)** (5:08 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

Christina M. Sadar, Blight Abatement Program Coordinator, Department of Housing and Community Development, (HCD) presented the staff report.

Following the public hearing, which included testimony by four speakers and discussion with input from Ms. Sadar and Thomas Overocker, Chief, Housing Rehabilitation, HCD, Supervisor Kauffman moved:

- Adoption of the Ordinance to declare 7159 Barry Road blighted, constituting a nuisance.
- Approval of the blight abatement plan for 7159 Barry Road.

Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Hudgins, Supervisor Hyland, and Supervisor McConnell being out of the room.

56. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLES 2 AND 3, REGARDING INCLUSION OF PUBLIC SAFETY COMMUNICATIONS CENTER POSITIONS IN THE UNIFORMED RETIREMENT SYSTEM** (5:30 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

Lauranz A. Swartz, Executive Director to the Retirement Boards, presented the staff report.

Following the public hearing, and discussion with input from Robert Stalzer, Deputy County Executive, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Articles 2 and 3, regarding inclusion of Public Safety Communications Center positions in the Uniformed Retirement System. This motion was multiply seconded and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor McConnell being out of the room.

57. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 84.1 (PUBLIC TRANSPORTATION), SECTION 84.1-6-3, RATES, FARES, AND CHARGES** (5:41 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

Gail Eskew, Director, Department of Cable Communications and Consumer Protection, presented the staff report.

Following the public hearing, which included testimony by two speakers, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 84.1 (Public Transportation), Section 84.1-6-3, increasing the metered fares and waiting time charges for taxicab services. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Kauffman, and Supervisor McConnell being out of the room.

58. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (5:51 p.m.)

Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of ten speakers will be heard. Speakers may address the Board only once during a six month period.

The public hearing was held and included testimony by the following individuals:

- Mr. Gerald O'Dell regarding the budget for the Fairfax County School Board as it relates to pro-life issues.
- Mr. Jim McDonald regarding day labor sites, illegal aliens, infectious diseases, and gangs.
- Mr. Forrest Hatcher regarding the Jefferson Park Golf Course.
- Mr. Li Ding regarding free broadcasting into China

Chairman Connolly stated that the items Mr. Hatcher submitted at the public hearing would be entered into the record.

59. **5:30 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 04-III-2DS AND 04-III-3DS, LOCATED NORTH OF THE FRYING PAN ROAD AND SUNRISE VALLEY DRIVE INTERSECTION (HUNTER MILL DISTRICT)** (6:06 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

Lindsay Mason, Planner II, Planning Division, Department of Planning and Zoning, presented the staff report.

Welcome to Frank de la Fe of the Planning Commission
(6:13 p.m.)

Supervisor Hudgins recognized the presence of Frank de la Fe, Hunter Mill District Representative to the Planning Commission, and welcomed him to the Board Auditorium.

Following the public hearing, which included testimony by two speakers, Supervisor Hudgins moved approval of the Planning Commission recommendation for APR Items 04-III-2DS and 04-III-3DS which adds an option for limited community-serving retail as part of mixed use development with conditions related to integration of uses, site design, buffering, provision of active and passive recreation facilities, and mitigation of school impacts associated with residential development. Supervisor DuBois seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

60. **5:30 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 04-III-4DS, LOCATED SOUTHEAST OF THE FRYING PAN ROAD AND SUNRISE VALLEY DRIVE INTERSECTION (HUNTER MILL DISTRICT)** (6:16 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

Lindsay Mason, Planner II, Planning Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Hudgins moved to **defer indefinitely** the decision of APR Item 04-III-4DS. Supervisor Bulova and Supervisor Frey jointly seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell being out of the room.

61. **5:30 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 04-III-1BR, LOCATED WEST OF OLD CENTREVILLE ROAD AND NORTH OF CENTRE RIDGE PARK (SULLY DISTRICT)** (6:24 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

Leanna L. Hush, Planner II, Planning Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by two speakers, Supervisor Frey moved that the Board adopt the staff alternative, which is the Planning Commission recommendation for APR Item 04-III-1BR. The recommendation can be found on pages 6-7 of the Sully District Staff Report Book in Attachment III of the Board Item. The recommendation will retain the existing Plan guidance for residential use at 1-2 dwelling units per acre (du/ac) and will add an option for residential use at 2-3 du/ac for the subject property to permit inclusion of conditions regarding unified access, tree preservation, documentation of historic interest, and road improvements. Supervisor DuBois seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

62. **5:30 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 04-III-4BR, BOUNDED BY MACHEN ROAD, CENTREWOOD DRIVE, MULTIPLEX DRIVE, AND SWEETWATER LANE (SULLY DISTRICT)** (6:32 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

Leanna L. Hush, Planner II, Planning Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved to adopt the staff alternative, which is the Planning Commission recommendation for APR Item 04-III-4BR. The recommendation can be found on pages 18-19 of the Sully District Staff Report Book contained in Attachment III of the Board Item. The recommendation adds a condition discouraging access to the subject parcels from Machen Road and Centrewood Drive. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

63. **5:30 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 04-III-9BR, RELATED TO THE PLEASANT VALLEY ROAD CORRIDOR (SULLY DISTRICT)** (6:37 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

Alison Kriviskey, Planner III, Planning Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved that the Board adopt the staff alternatives, which is the Planning Commission recommendation for APR Item 04-III-9BR. The recommendation can be found on pages 58-59 of the Sully District Staff Report Book contained in Attachment III of the Board Item. The recommendation will add new text about the recent designation of Pleasant Valley Road as a Virginia Byway between Lee Highway and Blue Spring Drive. Related figures in the Plan and the Comprehensive Plan Map would be revised to add the byway designation. Supervisor DuBois seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Hyland, and Supervisor McConnell being out of the room.

64. **5:30 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 04-III-7DS, RELATED TO LAND UNIT F-1 IN DULLES SUBURBAN CENTER (SULLY DISTRICT)** (6:47 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 2 and June 9, 2005.

Alison Kriviskey, Planner III, Planning Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Supervisor Frey moved that the Board adopt the nomination which is the Planning Commission recommendation for APR Item 04-III-7DS. The recommendation can be found on pages 156-157 of the Sully District Staff Report Book contained in Attachment III of the Board Item. The recommendation proposes the deletion of Land Use Recommendation #3 to eliminate the recommendation for retail use that was proposed for this land unit in the 1990s when it was conjectured that the primary access to the Air and Space Museum at Dulles Airport would be through this land unit. Because this did not occur, the nomination also recommends deletion of Transportation Recommendations #2 and #3 that include obsolete language about primary access through this land unit to the Air and Space Museum and a possible future southern terminal at the airport. Supervisor Hudgins seconded the motion and it carried by

a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

Noting her impending retirement, Supervisor Frey thanked Ms. Kriviskey for all her work with the task force and for her service to the County.

65. **BOARD RECESS** (6:50 p.m.)

The Board recessed briefly, and at 7:20 p.m. reconvened with all Members being present, with the exception of Supervisor Hyland and Supervisor McConnell, and with Chairman Connolly presiding.

NV:nv

ADDITIONAL BOARD MATTERS

66. **TESTIMONY BEFORE THE US SENATE FINANCE TRANSPORTATION SUBCOMMITTEE** (7:21 p.m.)

Chairman Connolly distributed copies of testimony he presented during the recess to the US Senate Finance Transportation Subcommittee chaired by Senator Hawkins regarding managing growth and transportation challenges.

67. **APPOINTMENT OF ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) REPRESENTATIVE TO THE TYSONS CORNER TRANSPORTATION AND URBAN DESIGN STUDY COORDINATING COMMITTEE** (7:20 p.m.)

(BACs)
(APPT)

(NOTE: Earlier in the meeting, the Board discussed the addition of an EQAC representative to the Tysons Corner Transportation and Urban Design Study Coordinating Committee. See Page 16.)

Chairman Connolly noted that earlier in the meeting he raised the issue of a seat for EQAC on the Tysons Corner Transportation and Urban Design Study Coordinating Committee. George Lamb, a Providence District Representative to the Committee is a member of EQAC, but there is no dedicated seat for EQAC.

Accordingly, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved the:

- Addition of a dedicated seat for EQAC on the Tysons Corner Transportation and Urban Design Study Coordinating Committee.
- Appointment of Ms. Stella Koch as the EQAC representative to Tysons Corner Transportation and Urban Design Study Coordinating Committee.

Supervisor DuBois seconded the motion, which carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

68. **FOSE TECHNOLOGY AWARDS** (7:22 p.m.)

Chairman Connolly announced that the FOSE Trade Show, for federal defense, federal civilian, and state and local government technology areas was held in April, 2005 in Washington, DC and he reported that the County won two FOSE awards in the areas of electronic-services and homeland security.

Chairman Connolly said that in the FOSE E-Town area, federal, state, local and international agencies displayed their efforts at providing electronic services to their cliental. Fairfax earned the E-Town award for its Enterprise Geographic Information Services (GIS) Integration. The application allows one to search any address in the County, and find information on the nearest schools, parks, emergency medical facilities, and police and fire stations to that location.

Chairman Connolly announced that the Fairfax-Falls Church Community Services Board (CSB) won the Homeland Security Center award for its “Notifier” application. This application, created in conjunction with the Department of Systems Management for Human Services, also utilizes GIS and enables an emergency response system that allows the CSB to integrate service sites and critical information for emergency and disaster planning and response.

Therefore, Chairman Connolly moved that the Board direct staff to invite representatives from the GIS/Mapping Services Branch, Enterprise Systems Services Division, Department of Information Technology; the CSB; and the Department of Systems Management for Human Services, and whomever else staff deems appropriate to appear before the Board to be recognized for their outstanding achievement at an appropriate time. Vice-Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

69. **FILL THE BOOT** (7:23 p.m.)

Chairman Connolly noted that for more than 50 years over a quarter million firefighters across the United States and Canada have supported the Muscular Dystrophy Association (MDA) in its fight against neuromuscular diseases by raising more than \$200 million in annual “Fill the Boot” campaigns. Last year alone, County firefighters raised over \$340,000 for the MDA making them number one in the nation. On Labor Day weekend, firefighters across the nation will join for the annual event, marking the fifty-first anniversary of the International Association of Firefighters support of MDA and Jerry’s Kids.

Therefore, Chairman Connolly moved that the Board issue a resolution commending the annual “Fill the Boot” campaign scheduled for Labor Day weekend in September and direct staff to invite appropriate representatives from

the Department of Fire and Rescue Services to receive the resolution at the July 25, 2005, Board meeting. Supervisor Frey seconded the motion.

Following brief input from Merni Fitzgerald, Director, Office of Public Affairs, regarding the number of presentations, the question was called on the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

70. **HIV TESTING DAY** (7:24 p.m.)

Chairman Connolly announced that HIV is one of the most crippling illnesses plaguing society today. It is even more troublesome to know that this virus is completely preventable. National "HIV Testing Day" will take place on June 27 this year in an effort to raise awareness and encourage individuals to get tested regularly if they feel they may be at risk. Additionally, the Health Department offers free HIV testing year-round at all five of its district clinics.

Therefore, Chairman Connolly asked unanimous consent that the Board direct the Office of Public Affairs to publicize "National HIV Testing Day" as well as the free HIV testing services available through the Fairfax County Health Department. Without objection, it was so ordered.

71. **911 CALL** (7:25 p.m.)

Chairman Connolly noted that one week ago today, a call that should have come to the County's Public Safety Communications Center was instead routed by Verizon to the City of Alexandria. The circumstances surrounding the routing and handling of the call are the subject of several investigative processes. He said that in light of the seriousness of the situation and the questions it raises, that it is imperative that the Board receive a full report.

Therefore, Chairman Connolly moved that the Board direct the County Executive to report with his findings, conclusions, and any recommendations resulting from the investigative process. Supervisor Kauffman seconded the motion.

Following a brief discussion regarding the incident, the question was called on the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

72. **FEES FOR PARK AUTHORITY SPONSORED MOVIES** (7:26 p.m.)

Chairman Connolly stated he recently received a press release from the Park Authority regarding the upcoming "Movies Under the Stars" series to be held at the Providence District RECenter in August. While he was pleased that the Park Authority is offering family-friendly movies, especially in a location that is easily accessible to residents of many communities in the eastern and central part of the

County, he expressed concern that the cost of admission (\$8/person) could prove to be a barrier for lower-income County residents.

Therefore, Chairman Connolly asked unanimous consent that the Board direct the Park Authority to examine the fee structure for “Movies Under the Stars” with the intent of making these events more accessible for County residents with limited resources and report to the Board. Without objection, it was so ordered.

73. **WOODSON GIRLS AND OAKTON BOYS WIN STATE LACROSSE CHAMPIONSHIPS, RESPECTIVELY** (7:27 p.m.)

Jointly with Supervisor Bulova, Supervisor Gross, and Supervisor Smyth, Chairman Connolly announced that for the second straight year, the Woodson High School girls’ lacrosse team is the unofficial State champion. Woodson defeated Albemarle High School on Saturday, June 11. The Woodson team cruised to an 11-1 lead by halftime and seized victory with a score of 20-4. This marks the school’s sixth unofficial State championship since the game was instituted in 1993, with three of those titles coming in the last four years. The team was led by senior Ashley McCulloch and coached by Ms. Jenn Kerr, who is marking her first year as head coach.

Therefore, Chairman Connolly asked unanimous consent that the Board direct staff to invite the Woodson High School girls’ lacrosse team to appear before the Board to be recognized for its achievement.

Following input from Anthony H. Griffin, County Executive, and Merni Fitzgerald, Director, Office of Public Affairs, Chairman Connolly amended his request to also invite the champion boys’ lacrosse team from Oakton High School to appear before the Board for recognition. Without objection, the request, as amended, was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

74. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR MISS HANA KANG (PROVIDENCE DISTRICT)** (7:28 p.m.)

Supervisor Smyth said that the Mid-Atlantic Foundation for Safety and Education’s Outstanding School Safety Patrol Awards Program recognizes the most outstanding school safety patrols in 18 jurisdictions around the Washington Metropolitan area. Selection criteria include leadership, dependability, academics, promptness, neatness, and industriousness. She said that Miss Hana Kang, a sixth grader at Fairhill Elementary School was selected from among 11,000 safety patrols in the County school system to receive the 2004-2005 Outstanding School Safety Patrol of the Year.

Therefore, Supervisor Smyth asked unanimous consent that the Board direct staff to invite Miss Kang to appear before the Board on July 11, 2005, to receive a

certificate of recognition for her accomplishments. Without objection, it was so ordered.

75. **AIR QUALITY** (7:29 pm.)

Supervisor Smyth called to Board Members' attention some information which she obtained at the recent Metropolitan Washington Air Quality Commission's (MWAQC) Strategic Planning Session. The focus of the meeting was a discussion of the various jurisdictional programs to improve air quality in the Washington Metropolitan region. She noted that County staff reported on the County diesel retrofits and wind power purchasing programs. Of particular note was a Montgomery County presentation of its tree planting program. She said that trees can play a crucial environmental role in protecting and improving land water, and air quality. The intent of the MWAQC meeting was to share successful air quality improvement programs with the goal of encouraging replication of those successes throughout the region. She said that the County presently has approximately 42 percent tree cover and should aggressively pursue management practices that use existing and planted trees to improve its air quality.

Therefore, Supervisor Smyth moved that the Board:

- Direct staff of the Urban Forestry Management Division, Department of Public Works and Environmental Services (DPWES), to prepare a report that delineates what urban forestry-related practices, including tree planting, the County can use to improve air quality and how these practices can be included in the air quality management plans, and to identify a set of best practices with the intent of creating a comprehensive urban forest management plan that will protect the community's trees and maximize the delivery of all the environmental, social, and economic benefits that they provide.
- Direct staff of DPWES, the Department of Planning and Zoning, and the County Attorney's Office to investigate the possibility of creating a funding mechanism for a County-wide tree planting program through the use of reparations obtained from violations of tree save commitments, cash proffers, and in-kind proffer commitments obtained during the land development process.

Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

76. **GROUNDBREAKING CEREMONY FOR NEW RAIN GARDEN (PROVIDENCE DISTRICT)** (7:32 p.m.)

Supervisor Smyth invited her colleagues to attend the groundbreaking ceremony for the new rain garden which will be held at the Providence District Office on June 21, 2005, from 10 until 10:30 a.m.

77. **PROVIDENCE DISTRICT LAND USE SEMINAR** (7:32 p.m.)

Supervisor Smyth announced that she will be holding another in her series of land use seminars on Tuesday, June 21.

78. **UNSOLICITED MATERIALS ON PRIVATE PROPERTY** (7:32 p.m.)

Supervisor Frey stated that he was contacted by a constituent regarding unsolicited materials, particularly newspapers, that are deposited in driveways. This constituent considered the materials as litter. He asked unanimous consent that the Board direct staff to “recycle” and recirculate his previously distributed opinion on this matter and the action that can be taken.

Following a brief discussion regarding unsolicited newspapers, without objection, it was so ordered.

(NOTE: Later in the meeting, the Board revisited this issue. See Clerk's Summary Item CL#80.)

79. **WESTFIELD HIGH SCHOOL PLAYER DRAFTED NUMBER ONE BY THE BALTIMORE ORIOLES (SULLY DISTRICT)** (7:33 p.m.)

Supervisor Frey announced that Brandon Snyder, the All-Metropolitan baseball player from Westfield High School, was drafted number one by the Baltimore Orioles.

80. **UNSOLICITED MATERIALS ON PRIVATE PROPERTY** (7:34 p.m.)

(NOTE: Earlier in the meeting, the Board took action regarding unsolicited materials. See Clerk's Summary Item CL#78.)

Supervisor Smyth returned the Board's attention to the issue of unsolicited newspapers. Discussion ensued, with input from David P. Bobzien, County Attorney, regarding the private legal matter that results when delivery continues after a request to stop delivery.

Supervisor Smyth asked unanimous consent that the Board direct the County Attorney to provide the possible ramifications for a publisher who ignores requests for the cessation of delivery. Without objection, it was so ordered.

81. **GAVEL** (7:35 p.m.)

(NOTE: Earlier in the meeting, Chairman Connolly noted that the Board's regular gavel was missing.)

Following a query regarding his gavel, Chairman Connolly said that he was using a ceremonial gavel because the regular gavel was missing.

82. **PRESENTATION OF SHADOWBOX TO COUNTY EXECUTIVE ANTHONY H. GRIFFIN** (7:36 p.m.)

Supervisor Gross presented Anthony H. Griffin, County Executive, with a shadowbox commemorating the rededication and reopening of the amphitheater at Mason District Park following a fire.

NV:ds

83. **GRASS CUTTING (MASON DISTRICT)** (7:37 p.m.)

Supervisor Gross said that she has received several complaints from residents in her district about neighbors not cutting their grass. Many of the complaints are coming from neighbors who live in areas where the properties in question are over half an acre, which doesn't meet the current standards of the Code.

She said that, in the past, her staff would contact the Health Department and the issue would be addressed. A notice of violation would be sent to the homeowner referring to the code section 302.4 in the International Property Maintenance Code 2000.

This Code has been in existence since 1996. Apparently, it was revised in 2000 and parts of the exterior property sections were deleted. One Section, 302.4 (Weeds) was deleted. It states "All premises and exterior property shall be maintained free from weeds of plants growth in excess of ten inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants, and vegetation, other than trees or shrubs provided; however, this shall not include cultivated flowers and gardens."

This issue of property size and the care of premises is not only a Mason District issue but a County issue. There are many properties that are well over the one-half acre limit. If this weed paragraph is reinstated into the Code, it would also include the following properties: "...abandoned property, property that is sold and waiting for occupancy, and property that is for sale."

Therefore, Supervisor Gross asked unanimous consent that the Board direct the County Executive to refer this issue to staff and report with how this section can be reinstituted into the general requirements of the International Property Maintenance Code. Without objection, it was so ordered.

84. **FISCAL YEAR (FY) 2006 TRASH AND RECYCLING GUIDELINES FOR SANITARY SERVICE DISTRICT CUSTOMERS** (7:39 p.m.)

Supervisor Gross said that Board Members should have received late last week the new FY 2006 Trash and Recycling Guidelines for Sanitary District Customers along with a copy of the brochure which will be sent to homeowners who are in the sanitary service districts.

Supervisor Gross said that under the new guidelines the County will be charging for pickup of tree trunks, etcetera. She said that there is a lot of information to be read in the brochure and doesn't think that it will be read in its entirety. She said that homeowners in the sanitary service districts should know that the County **does not** and **has not** been providing that kind of service to pick up tree trunks when trees are taken down. Now the County **will** provide that service for a fee. She said this message needs to get out to the community and the contractors.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to work with the Division of Solid Waste Collection and Recycling, Department of Public Works and Environmental Services, to ensure that the information is disseminated as widely as possible. Without objection, it was so ordered.

Supervisor Gross also asked unanimous consent that the issue be referred to the Consumer Protection Commission for review and recommendations. Without objection, it was so ordered.

85. **NO BOARD MATTERS FOR BRADDOCK DISTRICT SUPERVISOR SHARON BULOVA** (No Time)

Supervisor Bulova announced that she had no Board Matters to present.

86. **LAKE ANNE (HUNTER MILL DISTRICT)** (7:42 p.m.)

Supervisor Hudgins said that the conclusion of a three day charette was held as part of the planning for the Lake Anne revitalization. The process was begun approximately a year and a half ago with the community coming together. The County, through its Department of Housing and Redevelopment and Housing Authority Revitalization Program, contracted a consultant to do an economic study. The community had a presentation from a consultant. The study was analyzed with the community and the process included eight focus groups and a charette.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct the County Executive to explore the opportunity for the County, through its procurement process, to obtain consultants on an ongoing basis to help the

community with the Charette process, and report with his findings. Without objection, it was so ordered.

87. **WATER SERVICE** (7:45 p.m.)

(NOTE: Earlier in the meeting, the Board mentioned water rate differentials. See Clerk's page 15.)

Supervisor Hudgins said she has received several complaints from residents inside and outside the Town of Vienna who are concerned with the most recent cost increases for water service. The Town of Vienna purchases water both from the City of Falls Church and from Fairfax County, reselling it to its customers. Falls Church also purchases water from Fairfax County, which it may sell to the Town of Vienna. Currently, Vienna's water service area includes approximately 9,800 connections, with approximately 4,100 (42 percent) falling outside the Town's limits.

Therefore, in response to citizen concerns, Supervisor Hudgins asked unanimous consent that the Board direct staff to investigate the costs of water distribution from the Town of Vienna to residents residing inside, as well as outside, the town limits and determine if the County can assist these residents. Without objection, it was so ordered.

Supervisor DuBois asked unanimous consent that the Board direct staff to include Falls Church customers who are in the County. Without objection, it was so ordered.

Following discussion, regarding water service, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to report with the following information:

- Any rate increases which have occurred.
- Ensure that there is not a dual billing system in the city's water authority.

Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Additional discussion ensued, with input from Anthony H. Griffin, County Executive, regarding water service.

88. **“THE PATRIOT ACT” – CONSTITUTIONAL RIGHTS OF CITIZENS**
(7:48 p.m.)

Supervisor Hudgins said that on June 21, 2004, she brought before the Board a Resolution to ensure the constitutional rights of citizens and residents of the County. At that time her concern was redirected by others to have the County Executive survey every County agency potentially affected by the provisions of the Patriot Act to report on whether that agency had been directly harmed or benefited from the Act.

Supervisor Hudgins said that on March 25, 2005, she received a copy of the County Executive's "less than extensive research on the Patriot Act and was overwhelmed with disbelief that the Act 'had little or no effect on County government.' Additional conclusions indicated that the County had no means to determine if County residents had been affected. Instead, she said with almost some measure of pride, the County Executive indicated that the County had benefited monetarily from multiple grants that the Patriot Act established."

Supervisor Hudgins said that the government of King George III benefited from unjust taxes assessed against the American colonies, and that the fledging states benefited financially from the personal property taxes assessed against slave owners, and that the Commonwealth of Virginia benefited from poll taxes until 1972. She said that financial benefit is not the measure of a citizen's constitutional right.

Supervisor Hudgins called to Board Members' attention once again that more than 400 state and local governments have taken action to declare that they value and honor national public safety and the rights of the individual. She said, "we – in Fairfax County – praise our heritage, laud our firsts, and celebrates our diversity – but as a government are we to equate rights of the individual with financial gain?"

She noted that the County Executive's report is not an accurate reflection of the concerns expressed by the citizens of the County on the effects of the Patriot Act.

Supervisor Hudgins stated that numerous church groups, citizen activists, and individual citizens have contacted her, once again, to bring their concerns to the attention of the greater community, as well as the Board. She noted that the Resolution attached to her written Board Matter addresses many of the expressed concerns and issues that may have an adverse effect on County residents, as well as County employees.

Therefore, Supervisor Hudgins moved adoption of the Resolution and requested wide dissemination. Supervisor Gross seconded the motion.

Discussion ensued, with input from David P. Bobzien, County Attorney, regarding the Patriot Act, civil liberties, and taking positions on foreign policy and national security issues.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved a substitute motion that the Board direct staff to draft a letter to the County's Congressional Delegation expressing the Board's concerns about the reauthorization of the Patriot Act for review and action at the next Board meeting. Supervisor Frey seconded the motion.

Following discussion, Chairman Connolly noted that Board Members with specific items for inclusion in the letter should let him know.

The question was called on the substitute motion (for the draft letter), which carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

Following discussion regarding the motion, the question was called on the main motion, as substituted, and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

PMH:pmh

89. **NO BOARD MATTERS FOR DRANESVILLE DISTRICT SUPERVISOR DuBOIS** (8:22 p.m.)

Supervisor DuBois announced that she had no Board Matters to present today.

90. **GRAFFITI REMOVAL ORDINANCE** (8:22 p.m.)

On behalf of Supervisor Hyland, Supervisor Kauffman said that when the Huntington Community prepared for its neighborhood Day, the community found that it could not clean or remove gang "tags" and graffiti from a fence near the community center. The graffiti was on private property and the property owner did not respond to repeated requests to have it removed. The County Attorney's office noted that Virginia Code Section 15.2-908 gives the Board the authority to adopt an ordinance to provide for the removal of graffiti from public or private property at County expense, if the graffiti is visible from a public right-of-way.

Therefore, on behalf of Supervisor Hyland, Supervisor Kauffman moved that the Board direct staff to study this matter and report with a recommendation to implement such an ordinance for the removal of graffiti from public or private property, if the graffiti is visible from a public right-of-way. Supervisor DuBois seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

91. **NO BOARD MATTERS FOR LEE DISTRICT SUPERVISOR KAUFFMAN** (8:24 p.m.)

Supervisor Kauffman announced that he had no Board Matters to present today.

92. **NO BOARD MATTERS FOR SPRINGFIELD DISTRICT SUPERVISOR McCONNELL** (8:24 p.m.)

Chairman Connolly announced that Supervisor McConnell had no Board Matters to present today.

93. **ADJOURNMENT** (8:24 p.m.)

The Board adjourned.

Index

AGENDA ITEM	Page
Presentations: Certificates/Awards	2–5
Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups	8–17
Items Presented by the County Executive	
Administrative Items	17–25
Action Items.....	26–28
Consideration Items.....	28
Information Items	28–30
Board Matters	
Chairman Connolly	47–51
Supervisor Bulova.....	25, 51
Supervisor DuBois	n/a
Supervisor Frey	53
Supervisor Gross.....	31, 51, 54–55
Supervisor Hudgins	55–58
Supervisor Hyland	25, 31, 58
Supervisor Kauffman	31
Supervisor McConnell.....	n/a
Supervisor Smyth.....	51–53
Actions from Closed Session	34–35
Public Hearings	35–47